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Attorney for Latasha White

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
LATASHA WHITE,  
Defendant.

Case No. 2:22-cr-00228-BNW-1

**JOINT STATUS REPORT AND  
STIPULATION TO VACATE  
STATUS CONFERENCE**

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney, and Imani Dixon, Assistant United States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public Defender, and Joy Chen, Assistant Federal Public Defender, counsel for Latasha White, that the status conference currently scheduled on November 16, 2023, be vacated; that the defendant's guilty plea to Operating a Motor Vehicle while Under the Influence of Alcohol, 43 C.F.R. § 8341(f)(3), N.R.S. § 484C.110.1(a), be withdrawn; that the government be permitted to amend Count One of the Complaint to Reckless Driving, 36 C.F.R. § 4.2(b), N.R.S. § 484B.653; that the defendant's original guilty plea and sentence be applied to the amended count; and that the defendant's remaining term of unsupervised probation be discharged at this time.

This Stipulation is entered into for the following reasons:

1       1. On April 21, 2023, the defendant appeared before this Court for change of plea  
2 and sentencing. ECF No. 23. At that appearance, the defendant pleaded guilty to Count One  
3 of the Complaint, for Operating a Motor Vehicle while Under the Influence of Alcohol (DUI),  
4 in violation of Title 43 C.F.R. § 8341(f)(3), N.R.S. 484C.110.1(a). *Id.*

5       2. Pursuant to the parties' plea agreement, the defendant agreed to be sentenced  
6 to unsupervised probation for one year; pay a \$500.00 fine or complete 50 hours of  
7 community service and pay a \$10.00 penalty assessment; attend and complete lower court  
8 DUI course and victim impact panel; and complete an eight (8) hour online alcohol awareness  
9 course. ECF Nos. 23, 24. The parties agreed that if the defendant successfully completed her  
10 obligations within the first six months of her unsupervised probation, the parties would jointly  
11 move to allow the defendant to withdraw her guilty plea to Count One of the Complaint and  
12 the government would move to amend Count One to reckless driving. *Id.* The Court set a  
13 status conference for November 16, 2023. ECF No. 23.

14       3. As of November 15, 2023, the defendant has completed all of the conditions  
15 set forth in the parties' agreement. Defense counsel has provided proof of completion of  
16 classes to the government, and has confirmed with the Clerk's Office that the defendant has  
17 paid the \$500.00 fine and \$10.00 penalty assessment.

18       4. The parties therefore respectfully request that this Court vacate the status  
19 conference set for November 16, 2023.

20       5. The parties further request that this Court permit the defendant to automatically  
21 withdraw her guilty plea to DUI. The government now moves to amend Count One of the  
22 complaint to Reckless Driving, a violation of Title 36, C.F.R., Section 4.2(b), N.R.S. Section  
23 484B.653, a class B misdemeanor. The parties request that this Court impose the defendant's  
24 previously entered guilty plea to the amended reckless driving count.

25       6. Finally, the parties request that this Court early terminate the defendant's  
26 probation and close her case, pursuant to 18 U.S.C. § 3564(c), which provides that this Court

1 may “pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the  
2 modification of probation, terminate a term of probation previously ordered and discharge the  
3 defendant at any time in the case of a misdemeanor... if it is satisfied that such action is  
4 warranted by the conduct of the defendant and the interest of justice.”

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6 DATED this 16<sup>th</sup> day of November, 2023.

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8 RENE L. VALLADARES  
Federal Public Defender

JASON M. FRIERSON  
United States Attorney

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10 By /s/ Joy Chen  
11 JOY CHEN  
12 Assistant Federal Public Defender

By /s/ Imani Dixon  
IMANI DIXON  
Assistant United States Attorney

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## FINDINGS OF FACT AND ORDER

## **FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. On April 21, 2023, the defendant appeared before this Court for change of plea and sentencing. ECF No. 23. At that appearance, the defendant pleaded guilty to Count One of the Complaint, for Operating a Motor Vehicle while Under the Influence of Alcohol (DUI), in violation of Title 43 C.F.R. § 8341(f)(3), N.R.S. 484C.110.1(a). *Id.*

2. Pursuant to the parties' plea agreement, the defendant agreed to be sentenced to unsupervised probation for one year; pay a \$500.00 fine or complete 50 hours of community service and pay a \$10.00 penalty assessment; attend and complete lower court DUI course and victim impact panel; and complete an eight (8) hour online alcohol awareness course. ECF Nos. 23, 24. The parties agreed that if the defendant successfully completed her obligations within the first six months of her unsupervised probation, the parties would jointly move to allow the defendant to withdraw her guilty plea to Count One of the Complaint and the government would move to amend Count One to reckless driving. *Id.* The Court set a status conference for November 16, 2023. ECF No. 23.

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2                   **ORDER**  
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4                   IT IS THEREFORE ORDERED that:  
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6                   1. The status conference set for November 16, 2023, at 9:30 a.m. is vacated.  
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8                   2. Count One of the guilty plea is amended to Reckless Driving in violation of 36  
9                   C.F.R. §4.2(b), N.R.S. Section 484B.653; and  
10                  3. Defendant's probation is terminated immediately.

11                  DATED this 16th day of November, 2023.

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14                  UNITED STATES MAGISTRATE JUDGE  
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